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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 May 2008</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-2, 5-31, and 33-37</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,2,5-31 and 33-37</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1. This written action is responding to the Request for Continued Examination (RCE) dated on 05/29/2008.

2. Claims 1, 31, and 33-35 have been amended. Claim 37 is newly added, and Claims 3-4 and 32 are canceled.

3. Claims 1-2 and 5-31, and 33-37 have been submitted for examination.

4. Claims 1-2 and 5-31, and 33-37 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-2, 5-13, 31, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. (U.S. Patent 6,490,683) and further in view of Ohgake (U.S. Pub. 2001/0044887) and Sasaki et al. (U.S. Patent 7,024,534).

   a. *Referring to Claim 1:*

   As per Claim 1, Yamada et al. disclose a method for encoding a confidential optical disc with a burner, the method comprising the steps of: receiving a signal for creating the confidential optical disc to switch a burner into a burning mode, receiving a start burn signal to begin data

encoding process, and burning the buffer to the optical disc and produce the confidential disc **[(lines 1-20, Col. 8; Figs. 2 and 3 from Yamada et al.)]**;

setting a data-accessing password for future verification, **[(lines 41-46, Col. 19; Figs. 2 and 3 from Yamada et al.)]**; and

creating a temporary file system as buffer that includes two stages: creating standard file set, and creating a parallel file set with real data **[(lines 57-67, Col. 22 and lines 1-19, Col. 23 from Yamada et al.)]**; Yamada et al. further disclose wherein the data-accessing password is placed to a secret file set descriptor and located in the file management data area **[((lines 12-15 and 57-58, Col. 19; lines 13-14, Col. 36 from Yamada et al.)]**.

Yamada et al. do not expressly disclose the remaining limitations of the claim. However, Ohgake discloses selecting one of data sources for public viewing and confidential viewing data to be burned on the disc **[(lines 1-5 of [0030] and lines 1-14 of [0035] from Ohgake)]**. In addition, Sasaki et al. disclose the file (space) management data area is unoccupied space of an optical disc **[(lines 32-35, Col. 14 and Fig. 6; 652 from Sasaki et al.)]** and wherein the secret file set descriptor is a non-standard file and stores a preset address pointing to a root directory record of a real directory tree **[(lines 60-63, Col. 11; lines 1-12, Col. 12; lines 18-31, Col. 14; lines 10-13, Col. 21 from Sasaki et al.)]**.

Yamada et al., Ohgake, and Sasaki et al. are analogous art because they are from similar technology relating to digital information processing and file system format for recoding medium. It would have been obvious to one of ordinary skill in the art at the time of invention was made to combine the system disclosed in Yamada et al. with (1) Ohgake to have selected viewing level assigned to different portions of content for different users as disclosed by Ohgake and to with (2) Sasaki et al. to have the descriptor data containing the positional information since one would have been motivated to (1) have a method of controlling access to the record medium (lines 2-3 of [0002] from Ohgake) and (2) to avoid concentration of data rewrite in the same area and thus prevent occurrence of a defect (lines 37-39, Col. 3 from Sasaki et al.).

b. *Referring to Claim 2:*

As per Claim 2, Yamada et al., Ohgake, and Sasaki et al. disclose the method of claim 1, wherein the burner is an optical disc writer associated with a computer or other consumer device **[(Fig. 13 from Yamada et al.) and (lines 1-5 of [0044] of Ohgake)]**.

c. *Referring to Claim 5:*

As per Claim 5, Yamada et al., Ohgake, and Sasaki et al. disclose the method of claim 1, wherein the optical disc is a CDRW **[(lines 45-47, Col. 22 and lines 40-45, Col. 4 from Yamada et al.)]**.

d. *Referring to Claim 6:*

As per Claim 6, Yamada et al., Ohgake, and Sasaki et al. disclose the method of claim 1, wherein the optical disc is a DVDRW **[(lines 45-47, Col. 22 and lines 40-45, Col. 4 from Yamada et al.)]**.

e. _Referring to Claim 7:_

As per Claim 7, Yamada et al., Ohgake, and Sasaki et al. disclose the method of claim 1, wherein the optical disc is a DVD RAM **[(lines 45-47, Col. 22 and lines 40-45, Col. 4 from Yamada et al.)]**.

f. _Referring to Claim 8:_

As per Claim 8, Yamada et al., Ohgake, and Sasaki et al. disclose the method of claim 1, wherein the selected data source is a hard disc **[(lines 9-12, Col. 17 and Fig. 13 from Yamada et al.); _where the semiconductor memory can be a hard disc_]**.

g. _Referring to Claim 9:_

As per Claim 9, Yamada et al., Ohgake, and Sasaki et al. disclose the method of claim 1, wherein the selected data source is a CD **[(lines 9-12, Col. 17 and Fig. 13 from Yamada et al.); _where the semiconductor memory can be a CD_]**.

h. _Referring to Claim 10:_

As per Claim 10, Yamada et al., Ohgake, and Sasaki et al. disclose the method of claim 1, wherein the selected data source is a DVD **[(lines 9-12, Col. 17 and Fig. 13 from Yamada et al.); _where the semiconductor memory can be a DVD_]**.

i. *Referring to Claim 11:*

As per Claim 11, Yamada et al., Ohgake, and Sasaki et al. disclose the method of claim 1, wherein the selected data source is a DVD RAM **[(lines 9-12, Col. 17 and Fig. 13 from Yamada et al.); *where the semiconductor memory can be a DVD-RAM*]**.

j. *Referring to Claim 12:*

As per Claim 12, Yamada et al., Ohgake, and Sasaki et al. disclose the method of claim 1, wherein the file system is a UDF file system **[(lines 7-11, Col. 19 and lines 43-45, Col. 22 from Yamada et al.)]**.

k. *Referring to Claim 13:*

As per Claim 13, Yamada et al., Ohgake, and Sasaki et al. disclose the method of claim 1, wherein the file system is an ISO 9660 file system **[(lines 47-48, Col. 22 from Yamada et al.)]**.

l. *Referring to Claim 31:*

As per Claim 31, Yamada et al., Ohgake, and Sasaki et al. disclose a method for reading and decoding a confidential optical disc, produced by claim 1, the method comprising the steps of:

a player reading optical disc data **[(lines 1-9, Col. 8 from Yamada et al.)]**;

receiving a view confidential data command signal **[(lines 66-67, Col. 19 and lines 1-2, Col. 20 from Yamada et al.) and (lines 1-5 of [0030] and lines 1-6 of [0038] from Ohgake)]**;

requesting to entry of a data-accessing password **[(lines 3-8 of [0038]
from Ohgake)]**

comparing the entered password with a data-accessing password
placed in a secret file set descriptor allocated on any unoccupied space
of an optical disc **[(lines 12-15, 57-58, and 66-67, Col. 19; lines 1-3,
Col. 20; lines 13-14, Col. 36 from Yamada et al.) and (lines 32-35,
Col. 14 and Fig. 6; 652 from Sasaki et al.)]**, wherein the secret file set
descriptor is a non-standard file and stores preset address pointing to a
root directory record of a real directory tree **[(lines 60-63, Col. 11; lines
1-12, Col. 12; lines 18-31, Col. 14; lines 10-13, Col. 21 from Sasaki et
al.)]**. if the entered password is correct, playing or reading real data
**[(lines 66-67, Col. 19 from Yamada et al.) and (lines 1-10 of [0038];
[0039] and [0040] from Ohgake)]**, wherein the real data of the optical
disc is pointed by the preset address **[(lines 60-63, Col. 11; lines 1-12,
Col. 12; lines 18-31, Col. 14; lines 10-30, Col. 21 from Sasaki et al.
)]**; and

ending the playing/reading session **[(lines 7-9, Col. 15 from Yamada et
al.)]**.

m. _Referring to Claim 36:_

As per Claim 36, Yamada et al., Ohgake, and Sasaki et al. disclose the
method of claim 31, wherein the ending the playing/reading session
comprises:

ejecting the optical disc; turning off a view confidential data option; turning off the player reader **[(lines 7-20, Col. 15 from Yamada et al.)]**.

6. Claims 14-28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. (U.S. Patent 6,490,683), Ohgake (U.S. Pub. 2001/0044887), and Sasaki et al. (U.S. Patent 7,024,534), and further in view of Ando et al. (U.S. Patent 6,907,187).

   a. _Referring to Claim 14:_

   As per Claim 14, Yamada et al., Ohgake, and Sasaki et al. disclose the method of claim 1, wherein the creating standard file set stage further comprises the following steps:

   importing a directory of data from a data source **[(lines 65-67, Col. 22 and lines 5-19, Col. 23 from Yamada et al.)]**;

   creating descriptors that describe the whole file system **[(lines 53-64, Col. 23 from Yamada et al.)]**;

   assigning a disc address of a root directory to a descriptor **[(lines 28-33, 39-43, and 53-58, Col. 23 from Yamada et al.)]**;

   reading the imported directory tree **[(lines 49-51, Col. 22 and lines 35-47, Col. 23 from Yamada et al.)]**;

   converting the imported directory and files into an optical disc format according to file system **[(lines 43-48, Col. 22 and lines 5-19, Col. 23 from Yamada et al.)]**; and

assigning disc addresses to directories and file records **[(lines 64-66, Col. 22; lines 28-33, Col. 23 and lines 36-41, Col. 20 from Yamada et al.)]**.

Yamada et al., Ohgake, and Sasaki et al. do not expressly disclose the imported directory of data is dummy data. However, Ando et al. disclose the encoded data may contain dummy portion, which can be imported for recording/playback **[(lines 35-41, Col. 14 from Ando et al.)]**. Yamada et al., Ohgake, Sasaki et al., and Ando et al. are analogous art because they are from similar technology relating to digital information processing and file system format for recoding medium. It would have been obvious to one of ordinary skill in the art at the time of invention was made to combine the system disclosed in Yamada et al., Ohgake, and Sasaki et al. with the dummy information disclosed by Ando et al. since one would have been motivated to have the improvement in and relating to an information recording method of recording video information of an information storage medium and information reproducing method of reproducing the video information from the information storage medium (lines 9-13, Col. 1 from Ando et al.).

b. _Referring to Claim 15:_

As per Claim 15, Yamada et al., Ohgake, Sasaki et al., and Ando et al. disclose the method of claim 14, wherein the standard file set is created

according to a UDF file system **[(lines 7-11, Col. 19 and lines 43-45, Col. 22 from Yamada et al.)]**.

c. _Referring to Claim 16:_

As per Claim 16, Yamada et al., Ohgake, Sasaki et al., and Ando et al. disclose the method of claim 14, wherein the standard file set is created according to an ISO 9660 file system **[(lines 47-48, Col. 22 from Yamada et al.)]**.

d. _Referring to Claim 23:_

As per Claim 23, Yamada et al., Ohgake, and Sasaki et al. disclose the method of claim 1, wherein the creating parallel file set stage further comprises the following steps: importing a directory tree of real data from the source **[(lines 65-67, Col. 22 and lines 5-19, Col. 23 from Yamada et al.)]**;

getting a next available address by reading a directory and file records of data to find out where directory tree ends in order to place next descriptor and data **[(lines 66-67, Col. 19; lines 28-33 and 53-58, Col. 23; lines 35-38, Col. 24 from Yamada et al.)]**;

assigning disc address to real root directory and data-accessing password to a descriptor **[(lines 66-67, Col. 19; and lines 36-41, Col. 20; lines 64-66, Col. 22; lines 28-33 and 53-58, Col. 23 and lines 36-41, Col. 20 from Yamada et al.)]**;

reading the imported directory tree **[(lines 49-51, Col. 22; lines 60-67, Col. 24; lines 1-5, Col. 25 and lines 57-62, Col. 28 from Yamada et al.)]**;

converting the real directory files into optical disc format according to file system **[(lines 43-48, Col. 22 and lines 5-19, Col. 23 from Yamada et al.)]**; and

assigning disc addresses to directories and file records and assigning data addresses to file records **[(lines 64-66, Col. 22; lines 28-33, Col. 23 and lines 36-41, Col. 20 from Yamada et al.)]**. Yamada et al., Ohgake, and Sasaki et al. do not expressly disclose the imported directory of data is dummy data. However, Ando et al. disclose the encoded data may contain dummy portion and real portion, which can be imported for recording/playback **[(lines 35-41, Col. 14 and Fig. 7 from Ando et al.)]**. Yamada et al., Ohgake, Sasaki et al., and Ando et al. are analogous art because they are from similar technology relating to digital information processing and file system format for recoding medium. It would have been obvious to one of ordinary skill in the art at the time of invention was made to combine the system disclosed in Yamada et al., Ohgake, and Sasaki et al. with the dummy information as well as the real information disclosed by Ando et al. since one would have been motivated to have the improvement in and relating to an information recording method of recording video information of an information

storage medium and information reproducing method of reproducing the
video information from the information storage medium (lines 9-13, Col.
1 from Ando et al.).

e. _Referring to Claims 17 and 24:_

As per Claim 17, Yamada et al., Ohgake, Sasaki et al., and Ando et al.
disclose the method of claim 14, wherein the data source is a hard disc
folder **[(lines 9-12, Col. 17 and Fig. 13 from Yamada et al.); *where the
semiconductor memory can be a hard disc storing different folders
and directories*]**.

As per Claim 24, the rejection of Claim 23 is incorporated. In addition,
Claim 24 encompasses limitations that are similar to those of Claim 17.
Therefore, it is rejected with the same rationale applied against Claim 17
above.

f. _Referring to Claim 18 and 25:_

As per Claim 18, the rejection of Claim 14 is incorporated. In addition,
Claim 18 encompasses limitations that are similar to those of Claim 9.
Therefore, it is rejected with the same rationale applied against Claim 9
above.

As per Claim 25, the rejection of Claim 23 is incorporated. In addition,
Claim 25 encompasses limitations that are similar to those of Claim 9.

Therefore, it is rejected with the same rationale applied against Claim 9 above.

g. *Referring to Claim 19 and 26:*

As per Claim 19, the rejection of Claim 14 is incorporated. In addition, Claim 19 encompasses limitations that are similar to those of Claim 10. Therefore, it is rejected with the same rationale applied against Claim 10 above.

As per Claim 26, the rejection of Claim 23 is incorporated. In addition, Claim 26 encompasses limitations that are similar to those of Claim 10. Therefore, it is rejected with the same rationale applied against Claim 10 above.

h. *Referring to Claim 20 and 27:*

As per Claim 20, the rejection of Claim 14 is incorporated. In addition, Claim 20 encompasses limitations that are similar to those of Claim 11. Therefore, it is rejected with the same rationale applied against Claim 11 above.

As per Claim 27, the rejection of Claim 23 is incorporated. In addition, Claim 27 encompasses limitations that are similar to those of Claim 11. Therefore, it is rejected with the same rationale applied against Claim 11 above.

i. *Referring to Claim 21:*

As per Claim 21, Yamada et al., Ohgake, Sasaki et al., and Ando et al. disclose the method of claim 14, wherein the data source is sample menu **[(lines 9-12, Col. 17 and Fig. 13 from Yamada et al.); *where the semiconductor memory can be a sample menu*]**.

j. *Referring to Claim 22:*

As per Claim 22, Yamada et al., Ohgake, Sasaki et al., and Ando et al. disclose the method of claim 14, wherein the descriptor in the step of assigning a disc address of a root directory to a descriptor is a file set descriptor **[(lines 52-64, Col. 23 from Yamada et al.) and (lines 10-13, Col. 21)]**.

k. *Referring to Claim 28:*

As per Claim 28, Yamada et al., Ohgake, Sasaki et al., and Ando et al. disclose the method of claim 23, wherein the directory imported from real data in the step of importing directory tree of real data from source is placed to a descriptor **[(lines 65-67, Col. 22; lines 5-19, Col. 23; lines 53-64, Col. 23 from Yamada et al.)]**.

l. *Referring to Claim 30:*

As per Claim 30, Yamada et al., Ohgake, and Sasaki et al. disclose the method of claim 1, wherein the step of burning buffer to an optical disc further comprises the following steps:

burning descriptors **[(lines 11-15, Col. 24 from Yamada et al.)]**;

burning directory and file records **[(lines 27-28 and 45-48 Col. 24 from Yamada et al.)]**; and

burning data at addresses assigned by file records **[(lines 30-33, Col. 24 from Yamada et al.)]**.

Yamada et al., Ohgake, and Sasaki et al. do not expressly disclose the dummy data. However, Ando et al. disclose the encoded data may contain both real data as well as dummy data **[(lines 35-41, Col. 14 and Fig. 7 from Ando et al.)]**. Yamada et al., Ohgake, Sasaki et al., and Ando et al. are analogous art because they are from similar technology relating to digital information processing and file system format for recoding medium. It would have been obvious to one of ordinary skill in the art at the time of invention was made to combine the system disclosed in Yamada et al., Ohgake, and Sasaki et al. with the dummy information disclosed by Ando et al. since one would have been motivated to have the improvement in and relating to an information recording method of recording video information of an information storage medium and information reproducing method of reproducing the video information from the information storage medium (lines 9-13, Col. 1 from Ando et al.).

7. Claims 33-35 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. (U.S. Patent 6,490,683), Ohgake (U.S. Pub. 2001/0044887),

and Sasaki et al. (U.S. Patent 7,024,534) and further in view of Serpa (U.S. Patent 6,954,862).

a. _Referring to Claim 37:_

As per Claim 37, Yamada et al., Ohgake, and Sasaki et al. disclose the method of claim 31, further comprising:

checking if a correct ID field exists and If the ID filed exists in the optical disc, checking if the entered password is correct **[(lines 4-11 of [0037]; lines 3-8 of [0038]; lines 1-4 of [0040]; lines 1-4 of [0041] of Ohgake) and (lines 66-67, Col. 19 and lines 1-2, Col. 20 from Yamada et al.) and (lines 1-10 of [0038]; lines 1-8 of [0039] from Ohgake)]**. Yamada et al., Ohgake, and Sasaki et al. do not expressly disclose the remaining limitation of the claim. However, Serpa discloses checking to determine if password entries reach a predetermined limitation or not **[(lines 19-22, Col. 4 from Serpa)]**. Yamada et al., Ohgake, Sasaki et al., and Serpa are analogous art because they are from similar technology relating to digital information processing and password for access control. It would have been obvious to one of ordinary skill in the art at the time of invention was made to combine the system disclosed in Yamada et al., Ohgake, and Sasaki et al. with determining whether the limited number of times in password tries has reached as disclosed by Serpa since one would have been motivated to increase the security afforded by

passwords and to make them easier to use (lines 25-26, Col. 2 from Serpa).

b. *Referring to Claim 33:*

As per Claim 33, Yamada et al., Ohgake, Sasaki et al., and Serpa disclose the method of claim 37. In addition, Serpa discloses if the number of password entries reaches a predetermined limitation of five, ignoring any further entries until player reads optical disk data as limiting the number of times the password may be retried and ignore/suspend further actions **[(lines 19-20, Col. 4 from Serpa)]**.

c. *Referring to Claim 34:*

As per Claim 34, Yamada et al., Ohgake, Sasaki et al., and Serpa disclose the method of claim 37, if the player can not find the ID field or the ID field does not exist, ignoring the entered password until the player reads the optical disc data again **[(lines 4-11 of [0037]; lines 3-8 of [0038]; lines 1-4 of [0040]; lines 1-4 of [0041] of Ohgake)]**.

d. *Referring to Claim 35:*

As per Claim 35, Yamada et al., Ohgake, Sasaki et al., and Serpa disclose the method of claim 37, further comprising: if the password is incorrect, ignoring the entered password until the player reads optical disc data again **[(lines 66-67, Col. 19; lines 1-2 and 7-13, Col. 20 from Yamada et al.)]**.

8. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada

    et al. (U.S. Patent 6,490,683), Ohgake (U.S. Pub. 2001/0044887), Sasaki et al.

    (U.S. Patent 7,024,534), and Ando et al. (U.S. Patent 6,907,187), and further in

    view of Sasaki et al. (U.S. Pub. 2002/0051630).

    a. *Referring to Claim 29:*

        As per Claim 29, Yamada et al., Ohgake, Sasaki et al. ('534), and Ando

        et al. disclose the method of claim 23, wherein the directory imported

        from real data in step of importing directory tree of real data from source

        is placed to anywhere on the disc **[(lines 65-67, Col. 22; lines 5-19,

        Col. 23 from Yamada et al.)]**. Yamada et al., Ohgake, Sasaki et al.

        ('534), and Ando et al. do not expressly disclose the remaining

        limitations of the claim. However, Sasaki et al. ('630) disclose anywhere

        on the disc that does not have a piece of data or descriptor's addressing

        fixed by file system or application layer **[(lines 1-7 of [0264] from

        Sasaki et al. ('630))]**. Yamada et al., Ohgake, Sasaki et al. ('534), Ando

        et al., and Sasaki et al. ('630) are analogous art because they are from

        similar technology relating to digital information processing and file

        system format for recording medium. It would have been obvious to one

        of ordinary skill in the art at the time of invention was made to combine

        the system disclosed in Yamada et al., Ohgake, Sasaki et al. ('534), and

        Ando et al. with virtual/non-fixed address in the protected area disclosed

        by Sasaki et al. ('630) since one would have been motivated to have a

recording medium in which a lead-in area and an over-run protection

area, both including an area which records chain volume management

information for obtaining end position of an accessible area (lines 7-10 of

[0002] from Sasaki et al. ('630)).

Response to Arguments

9. Applicant's amendment, filed on Jan. 29, 2008, has Claims 1, 31, and 33-35

amended and Claim 37 newly added. Among these amended claims, Claims 1 is

an independent one. This necessitates the new grounds of rejection.

10. Applicant's arguments are moot in view of the new ground of rejections relying on

the combination of the newly found reference by Sasaki (U.S. Patent 7,024,534)

in combination with other previously cited references. Please refer rejections

above.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

    a. Cromer et al. (U.S. Pub. 2003/0204754) disclose a designated user of a

       computer system is allowed to conceal from access portions of information

       stored on a hard disk drive or comparable storage device. The program

       instructions which initiate operation of the computer system, sometimes

       also known as BIOS code, enable a designated user or an administrator to

declare certain portions of information normally stored accessibly to the system to be concealed, hidden, or invisible to a technical support person having a lesser level of access. Certain partitions are made inaccessible to any operator lacking the password of a designated user or administrator. Instead, a separate password is provided which enables initiation of operation of the system for maintenance purposes using only partitions which are open or unconcealed.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yin-Chen Shaw whose telephone number is 571-272-8593. The examiner can normally be reached on 8:15 to 4:15 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YCS

Jul. 30, 2008

/Kristine Kincaid/

Supervisory Patent Examiner, Art Unit 2139